

FORM PTO-1390 (Modified) (REV 11-98)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER 6 P US
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371				U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 09/600392
INTERNATIONAL APPLICATION NO. PCT/US99/00371	INTERNATIONAL FILING DATE 12 January 1999 (12.01.99)	PRIORITY DATE CLAIMED 16 January 1998 (16.01.98)		

TITLE OF INVENTION AN AUTOREGULATORY SYSTEM FOR VALIDATING MICROBIAL GENES AS POSSIBLE ANTIMICROBIAL TARGETS USING A TETRACYCLINE-CONTROLLABLE ELEMENT			
APPLICANT(S) FOR DO/EO/US Cheryl L. Quinn et al.			

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. has been transmitted by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
6. A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. A copy of the International Search Report (PCT/ISA/210).
8. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. have been transmitted by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has NOT expired.
 - d. have not been made and will not be made.
9. A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
10. An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
11. A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 13 to 20 below concern document(s) or information included:

13. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. A **FIRST** preliminary amendment.
16. A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. A substitute specification.
18. A change of power of attorney and/or address letter.
19. Certificate of Mailing by Express Mail
20. Other items or information:

Communication Regarding Sequence Listing (1 pg.); Paper copy of Sequence Listing (15 pgs.); Sequence Listing in computer readable form; transmittal document (in triplicate); and itemized return receipt postcard.

EXPRESS MAIL MAILING LABEL NUMBER: **E518337622US**

DATE OF DEPOSIT **14 July 2000**

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE ASSISTANT COMMISSIONER FOR PATENTS.

WASHINGTON, D.C. 20231

PRINTED NAME **Anne M. Richards**

SIGNATURE **Anne M. Richards**

U.S. APPLICATION NO. IF UNKNOWN, SEE OTHER
09/60030INTERNATIONAL APPLICATION NO.
PCT/US99/00371ATTORNEY'S DOCKET NUMBER
6137.P US

21. The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :

<input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2) paid to USPTO and International Search Report not prepared by the EPO or JPO	\$970.00
<input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO	\$840.00
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO	\$690.00
<input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4)	\$670.00
<input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4)	\$96.00

CALCULATIONS PTO USE ONLY**ENTER APPROPRIATE BASIC FEE AMOUNT =**

\$840.00

Surcharge of \$130.00 for furnishing the oath or declaration later than 20 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).

\$0.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	77 - 20 =	57	x \$18.00	\$1,026.00
Independent claims	6 - 3 =	3	x \$78.00	\$234.00

Multiple Dependent Claims (check if applicable).

TOTAL OF ABOVE CALCULATIONS = \$2,100.00

Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable).	<input type="checkbox"/>	\$0.00
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SUBTOTAL = \$2,100.00

Processing fee of \$130.00 for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492 (f)).	<input type="checkbox"/> 20 <input type="checkbox"/> 30	+ \$0.00
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TOTAL NATIONAL FEE = \$2,100.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).	<input type="checkbox"/>	\$0.00
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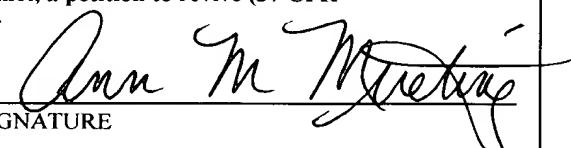
TOTAL FEES ENCLOSED = \$2,100.00

Amount to be: refunded	\$
charged	\$

 A check in the amount of \$2,100.00 to cover the above fees is enclosed. Please charge my Deposit Account No. in the amount of to cover the above fees.
A duplicate copy of this sheet is enclosed. The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 13-4895 A duplicate copy of this sheet is enclosed.**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

Muetting, Raasch & Gebhardt, P.A.
 P.O. Box 581415
 Minneapolis, Minnesota 55458-1415
 United States of America
 ATTN: Ann M. Muetting

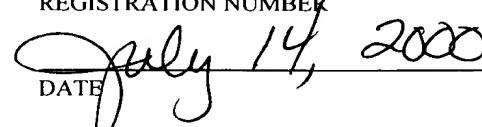

SIGNATURE

Ann M. Muetting

NAME

33,977

REGISTRATION NUMBER


DATE

097600392

Applicant(s): Cheryl L. Quinn et al.

Docket No.: 6137.P US

Titled: AN AUTOREGULATORY SYSTEM FOR VALIDATING MICROBIAL GENES AS POSSIBLE
ANTIMICROBIAL TARGETS USING A TETRACYCLINE-CONTROLLABLE ELEMENT

Assistant Commissioner for Patents

ATTN: Box PCT

Washington, D.C. 20231

We are transmitting the following documents along with this Transmittal Sheet (which is submitted in duplicate):

Utility Patent Application: Specification (pgs); Claims (claims on pgs); 1 pg Abstract.

Verified statement establishing small entity status of this application under 37 C.F.R. §§1.9 and 1.27 is enclosed (1 pg.)

Design Patent Application: pgs.

 Sheet(s) of formal /informal drawing(s).

Declaration and Power of Attorney document.

A return postcard.

An Assignment of the invention to _____ and Recordation Form Cover Sheet.

A certified copy of a application, Serial No. , filed , 19 , the right of priority of which is claimed under 35 U.S.C. Section 119.

Paper copy of Sequence Listing (15 pgs.); Sequence Listing in computer readable form; Communication Regarding Sequence Listing (1 pg.).

Other: Transmittal Letter to the DO/EO/US (2 pgs.); a copy of the International Search Report and documents attached thereto; a copy of the International Preliminary Examination Report.

A check in the amount of \$2,100 to cover the filing fee.

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 13-4895. Triplicate copies of this sheet is enclosed.

MUETING, RAASCH & GEBHARDT, P.A.

P.O. Box 581415, Minneapolis, MN 55458 (612-305-1220)

By:

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CERTIFICATE UNDER 37 CFR 1.10:"Express Mail" mailing label number: EL518337622USDate of Deposit: July 14 2000

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Attn: Box PCT, Washington, D.C. 20231.

By: Anne M. Richards
Name: Anne M. Richards

(TRANSMITTAL UNDER RULE 1.10)